

1641/20w

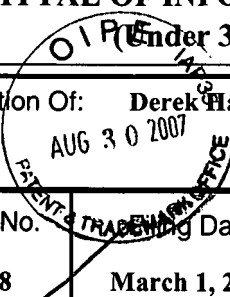
**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
18656

In Re Application Of: **Derek Hart, et al.**

AUG 30 2007



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/524,578	March 1, 2006	Gailene Gabel	23389	1641	6562

Title:

**METHOD OF CHARACTERIZING DENDRITIC CELLS**

Address to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Under 37 CFR 1.97(b) or 1.97(c)

Docket No.

18656

In Re Application of: Derek Hart, et al.

Application No.

10/524,578

Filing Date

March 1, 2006

Examiner

Gailene Gabel

Customer No.

23389

Group Art Unit

1641

Confirmation No.

6562

Title:

METHOD OF CHARACTERIZING DENDRITIC CELLS

## Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## Certificate of Transmission by Facsimile\*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

\*This certificate may only be used if paying by deposit account.

## Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 27, 2007  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

Edward W. Grolz

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

Dated: August 27, 2007

Edward W. Grolz  
Registration No. 33,705  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

cc:

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

18656

In Re Application Of: **Derek Hart, et al.**

Application No.

10/524,578

Filing Date

March 1, 2006

Examiner

Gailene Gabel

Customer No.

23389

Group Art Unit

1641

Confirmation No.

6562

Title:

**METHOD OF CHARACTERIZING DENDRITIC CELLS**

Address to:

**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450****37 CFR 1.97(b)**

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR**
- ☐ the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
18656

In Re Application of: **Derek Hart, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/524,578	March 1, 2006	Gailene Gabel	23389	1641	6562

Title:

**METHOD OF CHARACTERIZING DENDRITIC CELLS**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**Certificate of Transmission by Facsimile\***

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name of Person Signing Certificate

**\*This certificate may only be used if paying by deposit account.**

**Certificate of Mailing by First Class Mail**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

August 27, 2007  
(Date)

\_\_\_\_\_  
Signature of Person Mailing Correspondence

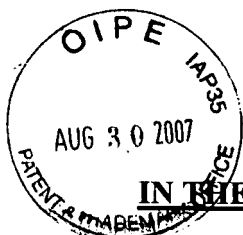
Edward W. Grolz

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Certificate

Dated: August 27, 2007

**Edward W. Grolz**  
Registration No. 33,705  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Derek Hart, et al.

**Examiner:** Gailene Gabel

**Serial No.:** 10/524,578

**Art Unit:** 1641

**Filed:** March 1, 2006

**Docket:** 18656

**For:** METHOD OF CHARACTERIZING  
DENDRITIC CELLS

**Dated:** August 27, 2007

**Confirmation No.:** 6562

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Olweus J. et al., "Dendritic Cell Ontogeny: A Human Dendritic Cell Lineage of Myeloid Origin", *Proc. Natl. Acad. Sci. USA* 94:12551-12556 (1997);
2. Kohrgruber N. et al., "Survival, Maturation, and Function of CD11c<sup>-</sup> and CD11c<sup>+</sup> Peripheral Blood Dendritic Cells are Differentially Regulated by Cytokines", *The Journal of Immunology* pp 3250-3259 (1999);
3. Pashenkov M. et al., "Two Subsets of Dendritic Cells are Present in Human Cerebrospinal Fluid", *Brain* 124:480-492 (2001);

---

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: August 27, 2007

  
Edward W. Grolz

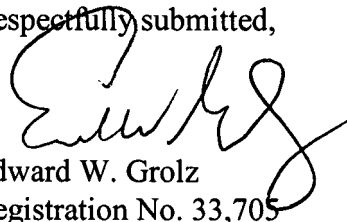
4. Weissman D. et al., "Three Populations of Cells with Dendritic Morphology Exist in Peripheral Blood, Only One of which is Infectable with Human Immunodeficiency Virus Type 1", *Proc. Natl. Acad. Sci. USA* 92:826-830 (1995);
5. PCT International Publication No. WO 03/005972 A2, published January 23, 2003;
6. Savary C.A. et al., "Multidimensional Flow-Cytometric Analysis of Dendritic Cells in Peripheral Blood of Normal Donors and Cancer Patients", *Cancer Immunol Immunother* 45:234-240 (1998);
7. Upham J.W. et al., "Simplified Quantitation of Myeloid Dendritic Cells in Peripheral Blood Using Flow Cytometry", *Cytometry* 40:50-59 (2000);
8. Summers K.L. et al., "Phenotypic Characterization of Five Dendritic Cell Subsets in Human Tonsils", *American Journal of Pathology* 159(1):285-295 (2001);
9. Hoffmann T.K. et al., "Alterations in the Frequency of Dendritic Cell Subsets in the Peripheral Circulation of Patients with Squamous Cell Carcinomas of the Head and Neck", *Clinical Cancer Research* 8:1787-1793 (2002); and
10. PCT International Publication No. WO 01/27245 A2, published April 19, 2001.

The references were cited in an Examination Report dated December 11, 2006 received from the European Patent Office and the International Search Report dated October 31, 2003 received from the Australian Patent Office. Applicants are submitting copies of the above-cited references, together with a copy of the European Examination Report. A copy of the International Search Report was previously submitted by Applicants on February 15, 2005. Please note that the other references cited in the European Examination Report, namely, Dzionek A. et al., "BDCA-2, BDCA-3, and BDCA-4: Three Markers for Distinct Subsets of Dendritic Cells in Human Peripheral Blood", *The Journal of Immunology* 165:6037-6046 (2000); Anonymous Inventor(s), "Peripheral Blood Dendritic Cells Revealed by Flow Cytometry", *BD*

*Biosciences-[www.bdbiosciences.com](http://www.bdbiosciences.com)* [Online] (2000), XP-002396890; López J.A. et al., "Single Step Enrichment of Blood Dendritic Cells by Positive Immunoselection", *Journal of Immunological Methods* 274(1-2):47-61 (2003), XP-004411952; and PCT International Publication No. WO 01/40308 A1, published June 7, 2001, were previously submitted with Applicant's Information Disclosure Statement dated November 7, 2006. The relevance of the above-identified references has been described in the European Examination Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. §1.97(b), no statement or fee is required.

Respectfully submitted,



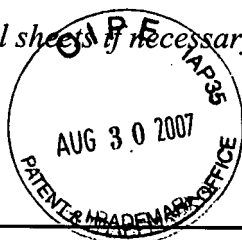
Edward W. Grolz  
Registration No. 33,705

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

EWG:dg

Form PTO-1449  
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)



Atty. Docket No. (Optional)

18656

Application Number

10/524,578

Applicant(s)

Derek Hart, et al.

Filing Date

March 1, 2006

Group Art Unit

1641

**FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 03/005972 A2	1/23/03	PCT			✓	
	WO 01/27245 A2	4/19/01	PCT			✓	

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	Olweus J. et al., "Dendritic Cell Ontogeny: A Human Dendritic Cell Lineage of Myeloid Origin", <i>Proc. Natl. Acad. Sci. USA</i> 94:12551-12556 (1997)
	Kohrgruber N. et al., "Survival, Maturation, and Function of CD11c <sup>-</sup> and CD11c <sup>+</sup> Peripheral Blood Dendritic Cells are Differentially Regulated by Cytokines", <i>The Journal of Immunology</i> pp 3250-3259 (1999)
	Pashenkov M. et al., "Two Subsets of Dendritic Cells are Present in Human Cerebrospinal Fluid", <i>Brain</i> 124:480-492 (2001)
	Weissman D. et al., "Three Populations of Cells with Dendritic Morphology Exist in Peripheral Blood, Only One of which is Infectable with Human Immunodeficiency Virus Type 1", <i>Proc. Natl. Acad. Sci. USA</i> 92:826-830 (1995)
	Savary C.A. et al., "Multidimensional Flow-Cytometric Analysis of Dendritic Cells in Peripheral Blood of Normal Donors and Cancer Patients", <i>Cancer Immunol Immunother</i> 45:234-240 (1998)
	Upham J.W. et al., "Simplified Quantitation of Myeloid Dendritic Cells in Peripheral Blood Using Flow Cytometry", <i>Cytometry</i> 40:50-59 (2000)
	Summers K.L. et al., "Phenotypic Characterization of Five Dendritic Cell Subsets in Human Tonsils", <i>American Journal of Pathology</i> 159(1):285-295 (2001)
	Hoffmann T.K. et al., "Alterations in the Frequency of Dendritic Cell Subsets in the Peripheral Circulation of Patients with Squamous Cell Carcinomas of the Head and Neck", <i>Clinical Cancer Research</i> 8:1787-1793 (2002)

EXAMINER

DATE CONSIDERED

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.